

**INLAND WETLANDS AGENCY
MEETING MINUTES**

MARCH 21, 2005

PRESENT: Ken Braga, Sanford Cohen, and Alternates Christine Murphy and Steven Hoffman

ABSENT: Margo Wheeler, Donald McConnell, Kim Flannery, Adam Barber and Alternate Jean Burns

STAFF

PRESENT: Matt Davis, Town Planner, Kristin Michaud, Recording Secretary

I. CALL TO ORDER:

Chairman Braga called the Inland Wetlands Agency (IWA) meeting to order at 7:32 PM at the Ellington Town Hall Annex, 57 Main Street, Ellington, CT and read the legal notice into record.

II. PUBLIC COMMENTS: Don Dubeck, 4 Elm Street, stated that the First Selectman had sent him to the commission. He was having problems with water drainage from an abutter and had been told by the Planning office that when the new ZEO is on board, they and I will look into it. It was determined that the fill/grading was not within the upland review area and is therefore not subject to Inland Wetland Agency regulation. In regards to the discharge to the parcel from the street basin, that was a matter the Department to Public Works director needed to address. Mr. Dubeck also acknowledged that certain impacts needed to be taken up as a civil matter between him and his neighbor.

III. EXECUTIVE SESSION: Discussion regarding active litigation.

MOTION (COHEN), SECONDED (HOFFMAN), AND PASSED UNANIMOUS TO GO INTO EXECUTIVE SESSION. ATTENDING THE EXECUTIVE SESSION WERE KEN BRAGA, SANFORD COHEN, STEVEN HOFFMAN, CHRISTINE MURPHY, MATT DAVIS, TOWN PLANNER AND SUSAN BOYAN, TOWN ATTORNEY.

MOTION (BRAGA), SECONDED (COHEN), AND PASSED UNANIMOUS TO ADJOURN THE EXECUTIVE SESSION.

MOTION (HOFFMAN), SECONDED (COHEN) AND APPROVED UNANIMOUSLY TO MODIFY INLAND WETLAND PERMIT #S200410 (YANAROS SUBDIVISION 27 LADD ROAD) TO REQUIRE EROSION CONTROLS ON LOT 7 DURING CONSTRUCTION.

IV. PUBLIC HEARINGS:

1. #IW200501 – Capstone Builders, Inc. for a Permit to Conduct Regulated Activity within an Area of Influence for an 8-lot subdivision on property located at 14 South Road, APN 111-008-0000.

TIME: 7:45

SEATED: K. Braga, S. Cohen, S. Hoffman and C. Murphy

Chairman Braga read Buck & Buck's letter dated 3/21/05.

Mark Peterson, Gardner & Peterson, came forward for the applicant. He explained that there was only a small amount of Wetlands on site and that they felt they did not need a drainage easement.

Greg Pinto, Capstone Builders came forward to explain that this was a 9 lot subdivision with a small amount of wetlands disturbance. The planner requested information regarding the upland review area changes and how those might effect the resources.

Chairman Braga read Buck & Buck's letter dated 2/23/05.

Several members of the public expressed their concerns of the subdivision.

MOVED (BRAGA), SECONDED (SANFORD) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE APRIL 18, 2005 MEETING #IW200501 – CAPSTONE BUILDERS, INC.

2. #IW200503 – Development Services, LLC for a Permit to Conduct Regulated Activity within an Area of Influence for a 20-lot subdivision on property located at 33 Newell Hill Road, APN 127-014-0000.

TIME: 8:30

SEATED: K. Braga, S. Cohen, S. Hoffman and C. Murphy

Patrick Gorman, LRC Group came forward to review the plan with the commission. He explained that this was a 72 acre parcel. There will be 35 acres of open space on the parcel.

James Sipperly, Soil Scientist for the project explained that it is a steep site with slopes from 2 to 15%. He also explained that there is a large variety of trees on the property. He reviewed where the Wetlands are on the site.

Jay Fisher, Development Services explained that they would be at the next Conservation Commission meeting. They will be discussing a 35 acre easement or open space.

MOVED (HOFFMAN), SECONDED (COHEN) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE APRIL 18, 2005 MEETING FOR THE PURPOSE OF RECEIVING INPUT FROM THE CONSERVATION COMMISSION REGARDING PROPOSED OPEN SPACE #IW200503 – DEVELOPMENT SERVICES, LLC.

V. UNFINISHED BUSINESS:

1. #IW200502 – Antonio Sabatini for a Permit to Conduct Regulated Activity within an Area of Influence to expand parking lot on property located at 192 Windsorville Road, APN 009-066-0000.

DUE TO LACK OF QUORUM (S. HOFFMAN RECUSED), THIS APPLICATION WAS TABLED TO THE APRIL 18, 2005 MEETING, AND THE APPLICANTS AGENT (MARK HOFFMAN) AGREED TO PROVIDE ANY EXTENSIONS NECESSARY.

2. Discussion regarding Kement gravel pit located on Broad Brook Road.

The commission is waiting for a written response from Kement.

NO MOTIONS OR DECISIONS MADE

VI. NEW BUSINESS:

1. #IW200504 – Jolyn II, LLC for a Permit to Conduct Regulated Activity within an Area of Influence to modify the approved retention pond on property located at Ellsworth Lane, APN 118-004-0003. (Phase IV)

Russ Heintz came forward to review the project.

Chairman Braga read Buck & Buck's letter dated 2/28/05.

MOVED (HOFFMAN), SECONDED (MURPHY) AND PASSED UNANIMOUSLY TO APPROVE #IW200504 – JOLYN II, LLC.

BY CONSENSUS, THE AGENCY RECEIVED THE FOLLOWING APPLICATIONS.

2. #IW200506 – Dwight Walker for a Permit to Conduct Regulated Activity within an Area of Influence for placement of sheds for horses on property located at 26 Main Street, APN 064-007-0000.
3. #IW200505 – Taymil Partners for a Permit to Conduct Regulated Activity within an Area of Influence for sewer installation on property located at 144 – 147 Pinney Street, APN 035-002-0000, 035-014-0000.
4. #IW200507 – Pioneer Builders of Ellington, Inc. for a Permit to Conduct Regulated Activity within an Area of Influence for a 49 unit age-restricted development located at 22 Maple Street, APN 073-014-0000.

THE COMMISSION'S CONSENSUS WAS TO SCHEDULE A PUBLIC HEARING IN THE PUBLIC INTEREST FOR THE APRIL 18, 2005 MEETING, FOR #IW200507.

VII. ADMINISTRATIVE BUSINESS:

1. DEP Notice: general permit
2. Discussion: 6 Lake Lane site plan.

Applicant will return for a permit modification.

3. Review of proposed subdivision on Shenipsit Lake Road, Tolland (abuts Ellington).

NO MOTIONS OR DECISIONS MADE

4. Approval of the January 28, 2005 meeting minutes.

MOVED (MURPHY), SECONDED (HOFFMAN) AND PASSED UNANIMOUSLY TO APPROVE THE JANUARY 28, 2005 MEETING MINUTES.

5. Correspondence:
 - a. Memo to Inland Wetland Agency from Matt Davis dated, 02/28/05. (Changes to Land Use Fees)
 - b. Letter to Attorney Bruce Fader from Matt Davis. (Bruce Luginbuhl Inland Wetland Matters)
 - c. Memo to Inland Wetland Agency from Matt Davis dated, 2/19/05. (Dan Shustock Wetland Violation Resolution)
 - d. LULA Update.
 - e. Memo to Dennis Milanovich & Members, Board of Selectman from Matt Davis dated, 2/22/05. (Request to Streamline the permit process)
 - f. Memo to Dennis Milanovich from Matt Davis dated, 2/23/05. (Land Use Fees Analysis)

- g. Letter to Stanley & Isabella Kement from Matt Davis dated 2/24/05. (Activities at Broad Brook Gravel Pit)
- h. Memo to Board of Selectmen & Board of Finance from Matt Davis dated, 2/22/05. (Proposed FY 05-06 Budgets)
- i. Letter to Town Clerk from Neil Angus dated 3/2/05. (Notification to adjacent municipality of a proposed Inland Wetland and Watercourses map amendment)
- j. Letter to Dan Bahler from Matt Davis dated 3/7/05. (Potential Dredging/Relocation/Fill Project)

VIII. ADJOURNMENT:

MOVED (HOFFMAN), SECONDED (COHEN) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:00 P.M.

Respectfully Submitted,

Kristin Michaud
Recording Secretary